

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26323 of 2023

Arising Out of PS. Case No.-101 Year-2022 Thana- PARASBIGHA District- Jehanabad

LALDEV CHAUDHARY S/O LATE RAGHU CHAUDHARY R/O Village-
Pakari Dalit Tola, P.S- Parasbigha, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
25.01.2023 in connection with Parasbigha P.S. Case
No.101/2022, F.I.R. dated 24.05.2022, for the offences
punishable under Sections 302/34 of the IPC.

According to prosecution case, the informant suspects
that all the accused persons, named in the F.I.R. have killed his
son by treading his head with brick, cement and hard blunt
substance.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the basis of suspicion.
He further submits that informant has suspected that co-accused



persons, namely, Somar Yadav, Madheshwar Yadav and the petitioner have killed his son. He further submits that except the suspicion, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and the co-accused persons namely, Somar Yadav and Madheshwar Yadav have been granted bail by a co-ordinate Bench of this Court vide order dated 23.02.2023 and 13.03.2023 passed in Cr. Misc. No. 57371/2022 and Cr. Misc. No. 63151/2022 respectively and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 25.01.2023.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Richa Kashyap, J.M.1st Class, Jehanabad in connection with Parasbigha P.S. Case No.101/2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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